

No. 69-CV-14430

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA

v.

SCHOOL BOARD OF CATAHOULA PARISH, ET AL.

**LOUISIANA STATE CONFERENCE NAACP'S UNOPPOSED
MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

LOUIS G. SCOTT
LAW OFFICE OF LOUIS G. SCOTT
510 Pine St.
Monroe, LA 71201
(318) 323-6107
grand97scott@aol.com

W. KYLE TAYMAN
JESSICA RABINOWITZ
VIONA J. MILLER
GOODWIN PROCTER LLP
901 New York Avenue
Washington, D.C. 20001
(202) 346-4000
ktayman@goodwinlaw.com
jrabinowitz@goodwinlaw.com
vmiller@goodwinlaw.com
Pro hac vice applications pending

Dated: March 15, 2019

Counsel for Amicus Curiae

In accordance with the local rules for the United States District Court, Western District of Louisiana, the Louisiana State Conference NAACP (“NAACP”) moves for leave to file an amicus brief supporting the appointment of a special master in this case. Counsel for the United States and Catahoula Parish School Board (“School Board”) have consented to the filing of this amicus brief.

A. Interest of Amicus Curiae

The NAACP is the nation’s largest, foremost, and most widely recognized civil rights organization. It has a mission to eliminate race-based political, educational, social, and economic discrimination and ensure the health and well-being of all persons. The NAACP has been an integral component in the path towards desegregation in public education, with its important work laying the foundation for the landmark decision in *Brown v. Board of Education*. The organization continues to have a fundamental interest in ensuring that *Brown*’s mandate is upheld and all students have access to education on equal terms. The NAACP received notice of the dire conditions of certain schools in Catahoula Parish when an anonymous letter was sent to its national headquarters on October 4, 2018. With permission of this Court, the NAACP seeks to submit the accompanying amicus brief advocating for the appointment of a special master to ensure that the School Board’s nearly fifty-year old desegregation order is complied with and schools within its district finally reach unitary status.

B. Reasons for Granting Leave to File

In 1969, this Court issued an order requiring the Catahoula Parish School Board (“School Board”) to desegregate. The School Board has never complied with that order, maintaining *de facto* segregation in the racial makeup of its schools. That ongoing segregation has led to numerous disparities in the physical conditions and quality of education between Catahoula Parish schools that largely fall along racial lines. These disparities and inequalities were recently

highlighted in a Now This News video¹ that prompted the Court's January 24 Order (ECF No. 27). As the Court noted in its recent Order, the parties to this action were directed back in 2013 to submit to the Court a scheduling order to govern further progress of the case. The parties were given 30 days to comply. To date, neither party has complied with this order and schools within Catahoula Parish remain segregated.

Given the disparate conditions between schools in Catahoula Parish, and that neither party has actively sought to comply with or enforce the original desegregation order, the Court was right to consider the appointment of a special master, and should appoint a special master to oversee the process of desegregation. As this Court is familiar, special masters have been appointed in similar desegregation cases where the parties have failed to comply with a court order and shown a lack of progress without necessary intervention and oversight from the courts. *See Smith v. Concordia Parish School Board*, 2017 WL 2508197 (W.D. La. June 8, 2017) (Drell, J.). As shown in the NAACP's brief, the facts here—those presented in the Now This News video and testified to in declarations by the students in Catahoula Parish themselves attached to the brief—warrant the appointment of a special master. That special master should be empowered to ensure both parties comply with the Court's desegregation order and engage in a plan to provide equal educational opportunities to all students in Catahoula Parish.

The declarations of students and parents submitted with the amicus brief provides the Court with additional facts and details about the conditions at Catahoula Parish schools that the Now This News report video only touched upon. Hearing directly from affected individuals, and considering the legal precedent for appointing a special master that is presented in the NAACP's brief, will aid the Court in its deliberations at the March 20 hearing and in this matter going

¹ Now This News, *How Black High School Students are Hurt by Modern-Day Segregation*, YouTube (Jan. 23, 2019), <https://youtu.be/od3s3lZWbWM>.

forward. Therefore, the NAACP respectfully requests that the Court grant it leave to file the accompanying amicus brief.

Respectfully submitted,

LOUISIANA STATE CONFERENCE NAACP

By its attorneys,

____s/ Louis G. Scott _____

LOUIS G. SCOTT
LAW OFFICE OF LOUIS G. SCOTT
510 Pine St.
Monroe, LA 71201
(318) 323-6107
grand97scott@aol.com

W. KYLE TAYMAN
JESSICA RABINOWITZ
VIONA J. MILLER
GOODWIN PROCTER LLP
901 New York Avenue
Washington, D.C. 20001
(202) 346-4000
ktayman@goodwinlaw.com
jrabinowitz@goodwinlaw.com
vmiller@goodwinlaw.com
Pro hac vice applications pending

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2019, I electronically filed the foregoing document with the United States District Court Western District of Louisiana Alexandria Division by using the CM/ECF system. I certify that the following parties or their counsel of record are registered as ECF Filers and that they will be served by the CM/ECF system:

Katherine W. Vincent
U.S. Attorneys Office
800 Lafayette St. Ste 2200
Lafayette, LA 70501
Katherine.vincent@usdoj.gov

Lisa M. Taylor
Franz Marshall
U.S. Department of Justice
Civil Rights Division
601 D St. NW
Washington, DC 20580
Lisa.Taylor@usdoj.gov
Franz.r.marshall@usdoj.gov

Robert L. Hammonds
John Richard Blanchard
Pamela Wescovich Dill
Hammonds Sills et al
2431 S. Acadian Thwy Ste 600
Baton Rouge, LA 70808
rhammonds@hamsil.com
jblanchard@hamsil.com
pdill@hamsil.com

____s/ Louis G. Scott _____

LOUIS G. SCOTT
LAW OFFICE OF LOUIS G. SCOTT
510 Pine St.
Monroe, LA 71201
(318) 323-6107
grand97scott@aol.com